

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Criminal No. 12-222 MJD/AJB

UNITED STATES OF AMERICA)
)
Plaintiff,)
) **ORDER**
v.)
)
JOSE NUNEZ-MEDINA,)
)
Defendant.)

Richard Newberry, Assistant United States Attorney, Counsel for Plaintiff.

John C. Brink, Counsel for Defendant.

This matter is before the Court on Defendant's motion to exclude hearsay evidence. (Doc. No. 90.) Defendant seeks to preclude the government from introducing hearsay statements concerning the initiation of the investigation of this matter, and to preclude the government from introducing hearsay evidence from his co-defendant.

In response, the government asserts it will use questions that do not call for hearsay when questioning witnesses as to why the police went to the hotel on

August 11, 2012. Further, the government agrees that statements by the co-defendant are not admissible as co-conspirator statements.

As the government does not contest Defendant's motion, the same will be granted.

IT IS HEREBY ORDERED that Defendant's Motion to Exclude Hearsay Evidence [Doc. No. 90] is GRANTED.

Date: April 11, 2013

s/ Michael J. Davis

Michael J. Davis
Chief Judge
United States District Court